## REMARKS

In the Office Action dated February 26, 2009, claims 92-107 have been rejected. By the above amendments, the Applicant has amended claim 92 and cancelled claim 94. Accordingly, claims 92-93 and 95-107 are still pending. Favorable reconsideration is respectfully requested in view of the amended claims and the arguments set forth fully below.

### Rejections Under 35 U.S.C. §101

Claims 92-107 have been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter, specifically, the Examiner submits that these claims are "software per se".

By the above amendments, the Applicant has removed the "means for" language from the independent claim 92, and has included clear limitations that read on hardware.

Specifically, claim 92 now is directed to a host system comprising a database, a network receiver, a set of executable software code stored on the host system, and a transmitter. The Applicant respectfully submits that the specification clearly supports the host system 6 configured with a storage medium capable of storing and executing a set of computer code in order to effectuate the recognizing, parsing and retrieving steps, formerly included in the claims as "means for" limitations.

Accordingly, the Applicant believes that the claims now include the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. §101. Furthermore, as the Examiner has indicated that these limitations may have been functional descriptive material per se, the Applicant submits that the executable software code set forth in the independent claim 92 to carry out the previously recited "means for" steps is now sufficiently described and claimed as being recorded on some computer readable medium. Therefore, claim elements are structurally and functionally inter-related to the medium and thus statutory as they permit the function of the descriptive material to be realized.

### Rejections Under 35 U.S.C. §102

Claims 92, 96, 99, 103-104 and 107 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,438,533 to Spackman et al. (hereinafter Spackman). The Applicant respectfully disagrees with this rejection.

First, it is stated within the Office Action that Spackman teaches that the "records are stored using database structure" in column 5, lines 45-46. The Applicant respectfully submits that the text actually states "An apparatus and system for retrieving information stored in a database structure." This teaching is quite different from that of the present application in that claim 92 speaks to storing "codes and information and links associated with said codes in a database." In such a system, as claimed, while the codes remain constant, the information and links associated with each code change dynamically, such as if the codes are associated with weather, traffic, sports, etc. The information associated with the codes in Spackman remains the same. The Spackman codes do not encompass dynamic links to related information in the passages cited by the Examiner, nor anywhere else in the Spackman reference.

It is further stated within the Office Action that the limitation for recognizing the code as a request for information and parsing the code is taught in Spackman as: "...query is submitted to identify which concepts in the records are similar to terms in the terminology knowledge base", in column 10, lines 53-63 of Spackman. Actually, Spackman states that "the classifier executes a subsumption check on the records, based on the terminology knowledge base." Spackman further states that "the classifier notes the alphanumeric codes of those concepts subsumed by the query." This teaching is drastically different from the claim 92 limitations as this language does not teach receiving a code from a communication device, recognizing the code as a request for information or parsing the code. In fact, this teaching shows code generation by a user such as a journalist, wherein the key words or a description of the article may be entered and all possible options that contain those descriptive terms would be returned such that the user may select the most appropriate/relevant code.

It is further stated within the Office Action that the limitation of retrieving information from one or more databases or servers by using the information and links associated with the code is taught in column 14, lines 28-34 of Spackman as "information can be retrieved based on the hierarchical links of concept." The text in Spackman actually states "the ability of the apparatus to retrieve concepts based on hierarchical links." The Applicant respectfully submits that the reference to links in this portion of Spackman is in the context of relationships as in the Spackman passage: "The apparatus can process queries that rely on hierarchical and non-

hierarchical relationships of the concepts." There is a fundamental difference between relationships within the database, and links from the database to related information that exists outside the database. Therefore, the Applicant respectfully submits that one skilled in the art would recognize this fundamental difference, and conclude that the Spackman reference does not indeed teach this limitation.

Claim 92 is directed to a host system for providing information stored in electronic or other form, the system comprising: a host system for providing information stored in electronic or other form, the system comprising: a database, wherein the database stores codes, information and links associated with said codes, wherein each code comprises a plurality of alpha-numeric sub-codes in a hierarchical structure, and wherein the codes are used for classifying information according to subject terms by encoding subject terms with codes; a network receiver, wherein the network receiver receives a code from a user's communications device; a set of executable software code stored on the host system such that when the set of executable software code is executed, the code received by the user is recognized as a request for information, is parsed, and information is retrieved from one or more databases or servers by using information and links associated with the code received by the user; and a transmitter, wherein the retrieved information is transmitted to the user's communications device over a network.

As discussed above, the Spackman reference does not teach the limitations directed to storing codes and information and links associated with said codes in a database, receiving a code, recognizing the code as a request for information and parsing the code, nor retrieving information from one or more databases or servers by using the information and links associated with the code. For at least these reasons, the independent claim 92 is allowable over the teachings of Spackman.

Claims 96, 99, 013-104 and 107 are dependent upon the independent claim 92. As discussed above, the independent claim 92 is allowable over the teachings of Spackman. Accordingly, claims 96, 99, 103-104 and 107 are also allowable as being dependent upon an allowable base claim.

## Rejections Under 35 U.S.C. §103

Claims 93-95, 97-98, 100-102 and 105-106 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Spackman in view of "the ACM computing classification system (1998)", December 1998, pages 1-30 (hereinafter ACM).
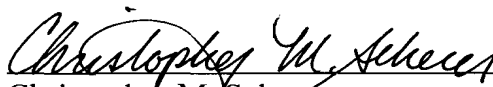
Claims 93, 95, 97-98, 100-102 and 105-106 are dependent upon the independent claim 92. As discussed above, the independent claim 92 is allowable over the teachings of Spackman. Accordingly, claims 93, 95, 97-98, 100-102 and 105-106 are also allowable as being dependent upon an allowable base claim. Claim 94 has been cancelled.

## Conclusion

For these reasons, Applicant respectfully submits that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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